

// A special meeting of the Council of the City of Lynchburg, recessed from June 30, was held on the 12th day of July, 2005, at 1:00 P.M., Second Floor Training Room, City Hall, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to conduct a work session regarding several items. The following Members were present:

Present: Dodson, Foster, Helgeson, Seiffert, Hutcherson 5

Absent: Gillette, Johnson 2

// Planning Commission Chair Wayne Dahlgren provided an overview regarding the Planning Commission's annual report delineating its activities for fiscal year ending June 30, 2005. Mr. Dahlgren highlighted several important areas for fiscal year 2006, i.e., the Midtown and Fifth Street areas and also the City's landscaping ordinance. In response to Council questioning, Mr. Dahlgren stated that the Citizens Monitoring Committee, which is appointed by the Planning Commission, recommended that the City begin implementing the portion of the Comprehensive Plan that addresses landscaping, and that it was the Planning Commission's decision to begin looking into changes in the City's 30-year-old landscaping ordinance.

// Council Member Gillette arrived at 1:10 p.m. during Agenda Item #1.

// Virginia First Cities Executive Director Neal Barber provided an update regarding the Coalition's accomplishments as well as short term challenges and long term issues that the Coalition will be addressing in the future.

// Council Member Johnson arrived at 2:15 p.m.

// Public Works Engineer James Talian, Project Manager, along with representatives from Carter Goble Associates, Inc. and Craddock Cunningham Architectural Partners provided an update regarding the City of Lynchburg Justice Facilities Master Plan, stating that the immediate recommendation of the Master Plan is to construct a new Juvenile and Domestic Relations Court facility due to the extreme inadequacy of the current facility. Mr. Talian explained that the site proposed for a new facility is on Court Street between the existing Public Safety Building and the School Administration Building. It was explained that since 1999, funding has been planned in the Capital Improvement Program for this effort, but that cost escalations have caused a considerable increase in construction cost estimates, and that although a facility could be constructed within the current budget amount, such a facility would leave out the Court Services component which would create an inefficient operating condition for many years into the future. City Manager Kimball Payne stated that staff would continue to move forward with the project.

// During roll call, Council Member Helgeson expressed concern regarding the efforts of a local business in the Lynchburg College area seeking to obtain an ABC license. Council Member Johnson informed of an overgrown lot at 1112 Fifth Street. Council Member Dodson requested an update regarding the regional Airport Authority, and the status of the joint Airport Commerce Park. Mr. Dodson also expressed appreciation in receiving a printed copy of the Changing Times and distributed invitations to the grand opening of the City's new Boys and Girls Club. Vice Mayor Foster requested a status report regarding the Skate park which is scheduled to be completed in the Fall. Mayor Hutcherson reminded Council regarding

the National Night Out scheduled for August 2, and informed regarding the funeral services of School Board Member Jean Turner-Smith.

// On motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commissions, to consider the disposition of publicly held real property because discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City, for consultation with legal counsel regarding potential litigation because consultation in an open meeting would adversely affect the negotiating or litigating posture of the City, and for consultation with legal counsel concerning a specific legal matter which requires the provision of legal advice pursuant to Section 2.2-3711(A)(1), (3) and (7), respectively, of the Code of Virginia, 1950, as amended:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// The meeting was re-opened to the public.

// Council Member Helgeson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2 3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Council Member Johnson, and Council by the following recorded vote adopted the motion:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Appointments, and on nomination of Council Member Johnson, Council by the following recorded vote appointed Kathy Banks to serve on the School Board for a term to expire June 30, 2008:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

On nomination of Council Member Johnson, Council by the following recorded vote appointed Council Member Bert Dodson to serve on the Parking Authority for a term to expire October 30, 2006:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

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On nomination of Council Member Johnson, Council by the following recorded vote appointed Council Member Michael Gillette to serve on the Parking Authority for a term to expire October 30, 2008:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Noes:

0

On nomination of Council Member Johnson, Council by the following recorded vote appointed Terri L. Proffitt to serve on the Parking Authority for a term to expire October 30, 2010:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Noes:

0

On nomination of Council Member Johnson, Council by the following recorded vote appointed Tom Gerdy to serve on the Parking Authority for a term to expire October 30, 2007:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

7

Noes:

0

On nomination of Council Member Johnson, Council by the following recorded vote appointed Dennis Howard to serve on the Parking Authority for a term to expire October 30, 2008:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// The meeting was adjourned at 5:20 p.m.

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Clerk of Council